

REMARKS

Claims 1-7 are pending in this application, of which claims 6-7 have been withdrawn. Claims 6 and 7, which depend from claim 5, should be rejoined and allowed when claims 1-5 are allowed.

I. Rejection under 35 U.S.C. §112

The Office Action rejects claims 1-5 under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement. Specifically, the Office Action alleges that no order is recited for how the banks are formed on the substrate. Applicant respectfully traverses the rejection.

Applicant submits that the rejection is improper for the following reasons: (1) because no particular order for forming individual banks is claimed, support for how a particular order is determined is not required, (2) in any event, support for the claimed "forming banks corresponding to the film pattern on the substrate" exists, for example, at paragraph [0033], and (3) even if support for how the order of formation of individual banks is required, one of ordinary skill in the art would have known how to determine a suitable order of bank formation given the state of the art of pattern formation and, thus, an explicit description in the specification is not required for enablement.

Thus, Applicant respectfully requests withdrawal of the rejection.

II. Claim Rejections under 35 U.S.C. §103

The Office Action (i) rejects claims 1 and 3-5 under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2001/0001050 to Miyashita et al. (Miyashita) in view of Japanese Patent Publication No. 10-337882 to Igari et al. (Igari) and U.S. Patent No. 4,966,480 to Watanabe et al. (Watanabe); and (ii) rejects claim 2 under 35 U.S.C. §103(a) over Miyashita in view of Igari and Watanabe, and further in view of Japanese Patent Publication No. 60-139454 to Ozaki et al. (Ozaki). Applicant respectfully traverses the rejections.

Miyashita discloses patterning of luminescent layers 106 and 107 by ink jet device 109 having a head 110 (Fig. 1, paragraphs [0041] and [0050]). The Office Action admits that Miyashita fails to disclose the steps of filling a passage with purified water and/or solvents.

Igari discloses a system for washing or cleaning residual ink 41 with solvent 42. In operation, solvent 42 is pumped by solvent feed pump 34 through control valve 24 and ink jet tube 23b (Figs. 1 and 3).

Watanabe discloses a washing liquid cartridge 10 for washing refill ink type writing instruments. The cartridge 10 contains a washing liquid chosen to dissolve the ink used in the refillable writing instrument (abstract). Watanabe discloses use of a solvent that is the same as the solvent used in the ink if the ink contains a solvent (col. 4, line 67 to col. 5, line 2).

The Office Action admits that Igari discloses a method to clean passages and ink print heads after use to prevent clogging. The Office Action does not allege that Igari has a problem achieving this goal, and Igari also does not disclose that Igari's method is unable to prevent clogging. Thus, there would have been no motivation to add further steps of cleaning. For these reasons, one of ordinary skill in the art would not have been motivated to add the cleaning step of Watanabe to the combination of Miyashita and Igari which already disclose cleaning by a solvent. Thus, the Office Action's proposed addition of the disclosure of Watanabe to the combination of Miyashita and Igari is improper.

Even if the proposed combination of Miyashita, Igari, and Watanabe is deemed proper, the Office Action's additional allegations that it would have been obvious to use purified water and to use multiple steps involving water are not logical, and thus improper, because (1) Watanabe's use of regular water indicates that regular water is suitable; (2) Watanabe and the other references fail to disclose that purified water is preferable for cleaning purposes; and (3) the allegation that one of ordinary skill would have been motivated to use three cleaning steps with water, rather than any other number, indicates improper

reliance on Applicant's disclosure. Thus, the proposed combination of Miyashita, Igari, and Watanabe, further modified as proposed, is improper because the Office Action has used Applicant's claims as a roadmap to pick and choose features from the prior art; and because the Office Action has not met its burden of establishing proper motivation for the proposed modifications of adding the disclosure of Watanabe, using purified water, and using multiple steps based on water-based solutions.

Regarding independent claim 2, Ozaki is cited for disclosing use of a storage solution. Ozaki fails to cure the deficiencies of Miyashita and Igari as discussed above in relation to the rejection of claim 1. Thus, claim 2 is patentable over the applied references for the same reasons that claim 1 is patentable.

For the foregoing reasons, Applicant respectfully requests withdrawal of the rejections.

III. Provisional Rejection Under The Doctrine Of Obviousness-Type Double Patenting

The Office Action provisionally rejects claims 1-5 under the doctrine of obviousness-type double patenting over claims 6 and 11-12 of U.S. Patent Application 10/827,426 to Moriyama (Moriyama '426) in view of Miyashita.

The enclosed Terminal Disclaimer renders this rejection moot.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jonathan H. Backenstose
Registration No. 47,399

JAO:JHB/ccs

Attachment:
Terminal Disclaimer

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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